

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 19 CR 169 (VM)
:
-against- : ORDER
:
EDDIE WISE, :
:
Defendant. :
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VICTOR MARRERO, U.S.D.J.:

Defendant Eddie Wise ("Wise") has indicated his intent to enter a guilty plea. Under Section 15002(b) of the CARES Act, felony plea hearings may take place by video or teleconference if the plea cannot be delayed without serious harm to the interests of justice. Wise now requests that the Court enter an order finding that his plea proceeding cannot be further delayed without serious harm to the interests of justice. (See "Motion," Dkt. No. 16.)

Wise intends to plead pursuant to a plea agreement stipulating to a Guidelines range of 70 to 87 months' imprisonment. Nevertheless, at sentencing, Wise intends to request a sentence substantially below that range in light of several considerations, and also notes that even if he is sentenced to an additional period of incarceration, he should have the opportunity to serve that time at a facility designed for long-term occupancy. The Government opposes the Motion. (See Dkt. No. 17.) The Government notes that even if the Court sentenced Wise to a period of incarceration that is significantly below the Guidelines range, he would still have a substantial amount of time left to serve. The Government also

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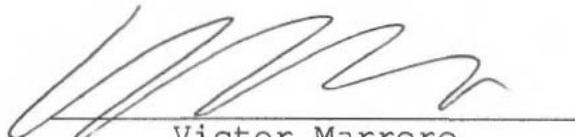
notes that Wise has only been in custody for approximately eight months.

The Court will deny the Motion. The Court is not persuaded that delaying the proceeding here would cause "serious harm to the interests of justice" in light of the Guidelines range sentence to which the parties have stipulated.

Accordingly, it is hereby ordered that the Motion of defendant Eddie Wise (Dkt. No. 16) is DENIED.

SO ORDERED:

Dated: New York, New York
 24 August 2020



Victor Marrero
U.S.D.J.